

1A/P7 Rec'd PCT/PTO 19 JUN 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |  | ATTORNEY'S DOCKET NUMBER<br><b>17360/80130</b>                           |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/JP2004/019686</b>  | INTERNATIONAL FILING DATE<br><b>22 December 2004</b> | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>To Be Assigned</b> |
| PRIORITY DATE CLAIMED<br><b>24 December 2003</b>   |  |  |
| TITLE OF INVENTION<br><b>BATTERY AND METHOD OF PRODUCING THE SAME</b>  |  |  |
| APPLICANT(S) FOR DO/EO/US<br><b>Noriyoshi MUNENAGA, Isao SUZUKI, Takeshi SHIMOZONO and Tetsuzo KOJIMA</b>  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |  |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<br/>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<br/>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.<br/>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<br/>a. <input checked="" type="checkbox"/> is attached hereto.<br/>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<br/>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<br/>b. <input type="checkbox"/> have been communicated by the International Bureau.<br/>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.<br/>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |  |  |
| Items 11 to 20 below concern document(s) or information included:  |  |  |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>  |  |  |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|--|--|---|---|-------|------------------------|--------------|--|-----|--------|--|---------------------------|-------|--|--|--|-----|--------|--|--|-------|--|--|---|-------|--|--|---------------------------|-------|--|--|
| U.S. APPLICATION NO. if known, see 37 CFR<br>To Be Assigned  | INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/019686 | ATTORNEY'S DOCKET NUMBER<br>17360/80130                                       |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| 20. Other items or information:<br><br>Submission of Formal Drawings, Figs. 1-5 (4 sheets)   |  |   |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| <p>The following fees have been submitted</p> <table border="1"> <tr> <td>21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....</td> <td>\$300</td> <td>CALCULATIONS<br/>\$ 300</td> <td>PTO USE ONLY</td> </tr> <tr> <td>22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br/><br/>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....</td> <td>\$0</td> <td>\$ 200</td> <td></td> </tr> <tr> <td>All other situations.....</td> <td>\$200</td> <td></td> <td></td> </tr> <tr> <td>23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))<br/><br/>If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....</td> <td>\$0</td> <td>\$ 400</td> <td></td> </tr> <tr> <td>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....</td> <td>\$100</td> <td></td> <td></td> </tr> <tr> <td>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....</td> <td>\$400</td> <td></td> <td></td> </tr> <tr> <td>All other situations.....</td> <td>\$500</td> <td></td> <td></td> </tr> </table> |  |   | 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... | \$300 | CALCULATIONS<br>\$ 300 | PTO USE ONLY | 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br><br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... | \$0 | \$ 200 |  | All other situations..... | \$200 |  |  | 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))<br><br>If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... | \$0 | \$ 400 |  | Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... | \$100 |  |  | International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... | \$400 |  |  | All other situations..... | \$500 |  |  |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....  | \$300  | CALCULATIONS<br>\$ 300  | PTO USE ONLY  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br><br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....   | \$0  | \$ 200  |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| All other situations.....  | \$200  |   |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))<br><br>If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....   | \$0  | \$ 400  |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....   | \$100  |   |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....  | \$400  |   |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| All other situations.....  | \$500  |   |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| <b>TOTAL OF 21, 22 and 23 =</b>  |  |   | <b>960</b>  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |  |   |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| Total Sheets   | Extra Sheets                                       | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| 27 - 100 =   | 0 /50 =  | 0   | x \$250   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).  |  |   | \$ 0  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| CLAIMS   | NUMBER FILED                                       | NUMBER EXTRA  | RATE  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| Total claims   | 13 - 20 =  | 0   | x \$ 50   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| Independent claims   | 1 - 3 =  | 0   | x \$200   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |  |   | + \$360   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |  |   | <b>0</b>  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.   |  |   |   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
|  |  |   | <b>SUBTOTAL =</b> \$ 900  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  |  |   | + \$ 0  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
|  |  |   | <b>TOTAL NATIONAL FEE =</b> \$ 900  |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |  |   | + \$ 40   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
|  |  |   | <b>TOTAL FEES ENCLOSED =</b> \$ 940   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
|  |  |   | Amount to be refunded: \$   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |
|  |  |   | Amount to be charged \$   |       |                        |              |  |     |        |  |                           |       |  |  |  |     |        |  |  |       |  |  |   |       |  |  |                           |       |  |  |

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- b.  Please charge my Deposit Account No. 18-1260 in the amount of \$ 960 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
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**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

## SEND ALL CORRESPONDENCE TO:

Thomas N. Tarnay, Esq.  
Sidley Austin LLP  
717 North Harwood  
Suite 3400  
Dallas, TX 75201


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SIGNATURE

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Tung T. Nguyen  


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NAME

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42,935  


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REGISTRATION NUMBER

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10/583583



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DALLAS, TEXAS 75201  
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214 981 3400 FAX

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June 19, 2006

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DERRICK GORDON

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JUNE 19, 2006  
Date of Signature

Re: New U.S. National Stage Patent Application Transmittal of  
PCT Application No. PCT/JP2004/019686  
International Filing Date: December 22, 2004  
For: BATTERY AND METHOD OF PRODUCING THE SAME  
By: Noriyoshi MUNENAGA, Isao SUZUKI, Takeshi SHIMOZONO and  
Tetsuzo KOJIMA  
Attorney Docket: 17360/80130

Dear Sir:

This National Phase Patent Application Transmittal of PCT patent application PCT/JP2004/019686 is submitted in connection with BATTERY AND METHOD OF PRODUCING THE SAME, by Noriyoshi MUNENAGA, Isao SUZUKI, Takeshi SHIMOZONO and Tetsuzo KOJIMA, inventors.

Enclosed herewith are the following:

**APPLICATION ELEMENTS:**

- (1) Form PTO-1390 "Transmittal letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371" (3 pages, in duplicate) along with the executed Declaration and Power of Attorney;
- (2) Submission of English Translation of International Application PCT/JP/2004/019686 as Originally filed on December 22, 2004 (1 page) including Specification (16 pages, including 9 claims and an abstract); and

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Commissioner for Patents

June 19, 2006

Page 2

(3) Submission of Formal Drawings (2 sheets), with Formal Drawings (4 sheets, Figs. 1-5).

**ACCOMPANYING APPLICATION PARTS:**

(4) Preliminary Amendment (7 pages);

(5) Information Disclosure Statement (3 pages);

(6) PTO-1449 Form (1 page);

(7) Copies of ten (10) references cited in the Information Disclosure Statement;

(8) Submission of copy of Assignment (2 pages) of the invention to GS YUASA CORPORATION, with attached Recordation Form Cover Sheet (1 page) (in duplicate);and

(9) One Return Receipt Post Card each for the following grouping of items: (1), (2), (3), (4), (5)-(7), and (8) above.

All correspondence is to be directed to the address associated with the Customer Number 26116.

Respectfully submitted,

By: \_\_\_\_\_



Tung T. Nguyen

Registration No. 42,935

Attorney for Applicants

TTN/lb  
Enclosures

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

U.S. application of: Noriyoshi MUNENAGA, Isao SUZUKI, Takeshi

SHIMOZONO and Tetsuzo KOJIMA

For: BATTERY AND METHOD OF PRODUCING THE SAME

U.S. Serial No.: To Be Assigned

Confirmation No.: To Be Assigned

35 U.S.C. § 371 Filing Date: Concurrently

PCT No.: PCT/JP2004/019686

Intl. Filing Date: 22 December 2004

Priority Date: 24 December 2003

Group Art Unit: International Division

Examiner: To Be Assigned

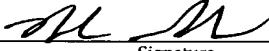
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DERRICK GORDON

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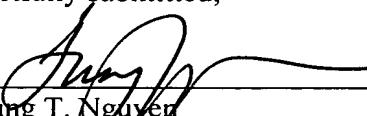
Date of Signature

Dear Sir:

**SUBMISSION OF ENGLISH TRANSLATION OF INTERNATIONAL APPLICATION**  
**PCT/J2004/019686 AS ORIGINALLY FILED ON DECEMBER 22, 2004**

The attached pages of text (16 pages) represent an English translation of the specification, claims, and abstract as originally filed in International Patent Application No. PCT/JP2004/019686 on December 22, 2004.

Respectfully submitted,

By: 
 Tung T. Nguyen  
 Registration No. 42,935  
 Attorney for Applicants

TTN/lb  
 SIDLEY AUSTIN LLP  
 717 North Harwood, Suite 3400  
 Dallas, Texas 75201-6507  
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 June 19, 2006

10/583583  
IAP12 Rec'd PCT/PTO 19 JUN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Serial No.: To Be Assigned  
U.S. application of: Noriyoshi MUNENAGA, Isao SUZUKI, Takeshi SHIMOZONO and Tetsuzo KOJIMA  
For: BATTERY AND METHOD OF PRODUCING THE SAME  
Confirmation No.: To Be Assigned  
Customer No.: 26116  
Docket No.: 17360/80130  
35 U.S.C. § 371 Filing Date: Concurrently  
PCT No.: PCT/JP2004/019686  
Intl. Filing Date: 22 December 2004  
Priority Date: 24 December 2003  
Group Art Unit: International Division  
Examiner: To Be Assigned

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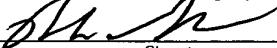
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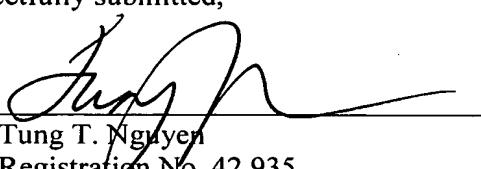
JUNE 19, 2006

Date of Signature

**SUBMISSION OF FORMAL DRAWINGS**

Submitted herewith are Formal Drawings, Figs. 1 through 5 (4 sheets) for filing in the above-referenced U.S. National Stage Application.

Respectfully submitted,

By:   
Tung T. Nguyen  
Registration No. 42,935  
Attorney for Applicants

10/583583

Attorney Docket No. 18733/00240

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